

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYRONE D. DAVIDSON,

Plaintiff,

Case No. 08-13761

v.

Honorable John Corbett O'Meara

STATE OF MICHIGAN, *ET AL.*,

Defendants.

**ORDER DENYING PLAINTIFF'S APRIL 3, 2009
MOTION FOR RECONSIDERATION**

This matter came before the court on plaintiff Tyrone D. Davidson's April 3, 2009 motion for reconsideration of the court's March 24, 2009 order granting Defendants' motions to dismiss. Defendants filed a response April 9, 2009; and Plaintiff filed a reply April 16, 2009. Pursuant to Local Rule 7.1(g)(2), no oral argument was heard.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Local Rule 7.1(g)(3).

In this case plaintiff Davidson's motion for reconsideration merely presents the same issues ruled upon by the court and fails to demonstrate a palpable defect by which the court and the parties have been misled.

ORDER

It is hereby **ORDERED** that plaintiff Tyrone D. Davidson's April 3, 2009 Motion for Reconsideration is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: May 21, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, May 21, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager